

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROMAN CATHOLIC DIOCESE OF
ROCKVILLE CENTRE,

Plaintiff,

vs.

GENERAL REINSURANCE
CORPORATION,

Defendant.

CIVIL ACTION

NO. 16-2063-CM

**MOTION OF DEFENDANT GENERAL
REINSURANCE CORPORATION TO
DISMISS OR, IN THE ALTERNATIVE,
TO STRIKE, PLAINTIFF'S BAD FAITH
CLAIM AND ITS CLAIMS FOR
CONSEQUENTIAL DAMAGES,
PUNITIVE DAMAGES, AND
ATTORNEYS' FEES**

Defendant General Reinsurance Corporation ("GRC") moves, pursuant to Fed R. Civ. P. 12(b)(6), to dismiss the claim of Plaintiff Roman Catholic Diocese of Rockville Centre ("the Diocese") for bad faith, including its claims for consequential damages, punitive damages, and attorneys' fees. In the alternative, GRC moves, pursuant to Fed R. Civ. P. 12(f), to strike the Diocese's claims for consequential damages, punitive damages, and attorneys' fees.

The motion will be made at this Court before the Honorable Colleen McMahon, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Room 1640, New York, New York 10007-1312, on a date and time to be determined by the Court. Oral argument is requested.

This motion is supported by the accompanying Memorandum of Law, the Declaration of Vincent J. Proto with attached exhibits, the Diocese's complaint, and all prior proceedings in this action.

Respectfully submitted,

BUDD LARNER, P.C.

By:



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Dated: April 18, 2016